

AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheet" of drawings include changes to Figure. The attached "Replacement Sheet", which includes Figures 4 and 5, replaces the original sheet including Figures 4 and 5. In Figure 4, the left most reference number, which used to be 77, has been replaced with 76.

Attachment: Replacement Sheet 3 of 4.

REMARKS

Claims 7 – 20 are now pending in the application. Claims 13 – 20 are new. Basis for the new claims can be found throughout the application as filed and therefore no new matter has been added. The Examiner is respectfully requested to reconsider and withdraw the objections and the rejection in view of the remarks contained herein.

INFORMATION DISCLOSURE STATEMENT

GB 784,257 published July 5, 1955 has been submitted in a concurrently filed information disclosure statement in accordance with 37 CFR §§ 1.97 and 1.98.

SPECIFICATION

The specification stands objected to for certain informalities. Applicant has amended the specification according to the suggestions in the office action and therefore this objection has been respectfully accommodated.

DRAWINGS

The drawings have been amended in accordance with associated changes to the specification. To that end, replacement drawing sheet 3 of 4 is appended to this response. Specifically, the left most reference number in Figure 4, which was number 77, has been replaced with number 76.

REJECTION UNDER 35 U.S.C. § 102

Claims 7 – 12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Zanini *et al.* (U.S. Pat. No. 5,467,527 hereinafter the '527 patent). This rejection is respectfully traversed.

Claim 7 defines, in part, the actuation system includes a cone-taper coupling between the receiving part and at least one of the movable segments, wherein the cone-taper coupling selectively squeezes together said movable segments.

As best understood by Applicant, the '527 patent does not disclose, teach or suggest a cone-taper coupling. An example of a cone-taper coupling is set forth in the specification, a portion of which is provided below.

To this end, inner surface 67 of jacket 11 of receiving part 3 is conical in shape with the cone opening downward in the direction of end ring 55. Correspondingly, outer surface 69 of pick ring 5 is conical in shape, the cone angle being the same as that for inner surface 67 of receiving part 3. By the cone-taper coupling, segments 17 are pressed together when pick ring 5 is pressed upward into inner space 7. See, paragraph 0024 of the disclosure.

The '527 patent is devoid of any cone-taper coupling and especially one that selectively squeezes together said movable segments, as the '527 patent does not even disclose, teach or suggest two or more conical shaped elements that can form and function similar to a cone-taper coupling.

Moreover, the office action states that the moveable segments as claimed are equivalent to the rocker jaws 86 in the '527 patent. The rocker jaws 86, however, are not squeezed together by an activation of a cone-taper coupling. The rocker jaws 86 are urged by the ring 82 to pivot about the pins 107 to contact a ring nut 6 of a respective cap 5. Plainly, no cone-taper coupling is used.

Applicant has added claim 13 to further define the invention. Claim 13 defines, in part, each of the moveable segments have a surface that defines a conical shape that is complementary to the inner surface of the receiving part to establish a cone-taper coupling between the pick ring and the receiving part. As noted above, the rocker jaws 86 are not part of a cone-taper coupling and the '527 patent does not disclose, teach or suggest a cone-taper coupling or conically shaped surfaces to form or function similar to the cone-taper coupling.

The disclosure of the '527 patent can be further differentiated from the cone-taper coupling of the present disclosure because, for example, the cone-taper coupling offers many advantages over the structure disclosed in the '527 patent. In one example, an additional force is applied to the pick ring 5, as described in a portion of the specification set forth below.

In this manner, by the cone-taper coupling between receiving part 3 and pick ring 5, segments 17 are pressed in the direction of central axis 21 so that at first only the holding forces applied by spring unit 45 are increased by the cone-taper coupling of actuation system 65. See, paragraph 0028 of the disclosure.

In contrast, the coupling or picking mechanism disclosed in the '527 patent is different from the invention, as defined by the claims, because, as noted above, there is no pressing together of the moveable segments through a cone-taper coupling. Rather, the rocker jaws 86 are moved into position by springs 140 acting on arm 129, 130 pivoted on pins 128, and by arms 110 pivoted on pins 107, 108. The only forces acting on the rocker arms 86, therefore, are the spring forces of springs 140. See, Column 7, Lines 29 – 42 of the '527 patent. As such, the only force acting on the rocker arms 86 in the '527 patent is imparted by the springs 140 and 104. As provided in the '527 patent,

the body 96 merely moves the jaws 86 to and from the parted position." See, Column 6, Line 63 – Column 7, Line 4

In a further point, the '527 patent explicitly refers to "pump-operated spray cap bottles". The capping unit of the '527 patent, therefore, cannot (or is designed not to) exert a magnitude of torque that can be exerted by the closing cone of the present disclosure, as doing so could damage the pump-operated spray cap. See Column 1, Lines 33-34 of the '527 patent. As such, certain threaded closures that require a relatively high closing or twisting torque, may not be secured by the device in the '527 patent because the torque generated by the device would be insufficient to twist the closure, i.e., cap the bottle.

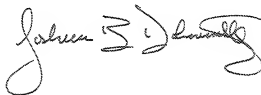
For at least the above reasons, Applicant respectfully submits that the '527 patent neither teaches nor suggests the invention as defined in Claims 7 and 13 and as such, Claims 7 and 13 should be in condition for allowance. Claims 8-12 and 14-20 are dependant on Claims 7 or 13 and therefore should be in condition for allowance for at least the above reasons.

CONCLUSION

It is believed that all of the stated grounds of rejection and objection have been properly traversed or accommodated. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections and objections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is always invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By:



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Stephen T. Olson
Reg. No. 36,626
Joshua B. Dobrowsky
Reg. No. 51,288

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

STO/JBD/kp